

36.11.445 WEED MANAGEMENT (1) On classified forest lands the department shall use an integrated pest management approach for noxious weed management that includes prevention, education, cultural, biological, and chemical methods as appropriate.

(a) The department shall limit herbicide applications to areas where herbicides provide a cost-effective means of control.

(b) The department shall consider new outbreaks of noxious weeds and locations where native plant communities are threatened by noxious weed encroachment the first priority for control.

(c) The department shall submit general re-vegetation plans for land-disturbing projects to county weed boards as part of biennial agreements.

(d) The department shall promptly re-vegetate road rights-of-way and other disturbed areas with site-adapted species including native species, as available.

(2) The department shall manage forested state trust lands with the intent of controlling the spread of weeds.

(a) Practices to be utilized include, but are not limited to:

- (i) the use of weed-free equipment;
- (ii) prompt re-vegetation of roads;
- (iii) minimizing ground disturbance; and
- (iv) stipulations and control measures that limit the spread of weeds in timber sale contracts.

(3) A licensee of classified forest trust land shall be responsible for weed control at their expense pursuant to ARM 36.25.132.

(4) On sites where weeds were introduced by recreation use, the department shall make available a portion of recreational access fees for weed control pursuant to ARM 36.25.159.

(5) All right-of-way agreements shall require the permittee to control weeds commensurate with the permitted use.

(a) This may include fees charged for weed control by the department or the weed district.

(6) In areas where weeds are widespread across state and adjacent ownerships, the department shall cooperate with weed districts on control projects.

(7) The department shall review implementation of noxious weed control and mitigation measures on cooperative projects and shall establish reasonable goals to address deficiencies as determined by the department at its sole discretion. (History: 77-1-202, 77-1-209, 77-5-201, 77-5-204, MCA; IMP, 77-5-116, 77-5-204, 77-5-206, 77-5-207, MCA; NEW, 2003 MAR p. 397, Eff. 3/14/03.)